

# PARKLAND DEDICATION ORDINANCE AMENDMENT

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Presentation to: City Council  
Randy Scott, Park Development Coordinator  
Parks and Recreation Department





# Agenda Item # 86

- Staff is requesting Council consideration of an ordinance amending City Code Title 25 related to parkland dedication and associated parkland fees
- Presentation includes:
  - ❑ Recap of what Council passed on First Reading November 12, 2015;
  - ❑ Summary of the items Council asked staff to consider prior to returning on 2<sup>nd</sup> and 3<sup>rd</sup> reading;
  - ❑ Individual amendments to consider incorporating at 2<sup>nd</sup> and or 3<sup>rd</sup> Readings.



# Recap of First Reading Approvals

- 1) Allows the City to share a reasonable amount of impervious cover for parkland dedicated without unduly impacting proposed projects
- 2) A pre-application determination, good for one year, of whether fees or land will be required by the Parks and Recreation Department
- 3) Added newly-constructed hotels and motels to parkland dedication applicability



# Further Considerations

- At first reading, Council asked staff to consider:
  - ❑ An appeal process;
  - ❑ Follow-up Audit of the 2013 Parkland Dedication Audit
  - ❑ Parkland and affordable housing needs; and
  - ❑ Directed staff to work with stakeholders prior to 2<sup>nd</sup> and 3<sup>rd</sup> reading.
- Staff worked closely with stakeholders
  - ❑ Members of the Parks Board, Park Conservancies, and Park non-profits;
  - ❑ Development Community: Real Estate Council, Apartment Association, Downtown Austin Alliance, Evolve, Builders Association; and
  - ❑ Housing and Community Development Staff



# Further Considerations

- Discussions led to a staff recommendation for the following amendments:
  - ❑ An appeal process
  - ❑ A cap on land dedication within the urban core
  - ❑ Increased credit for private parkland and new credits for private parkland amenities



# Further Considerations

- NHCD will work on future code amendments related to housing affordability and will be asking for PARD's collaboration and support during that process



# Amendment 1:

## Revised Fee In-Lieu Requirements

### **Purpose:**

- A. Defines a Parkland Dedication Urban Core
- B. Removes land as a default requirement; clarifies criteria for determining land and fee in-lieu of land; allows a combination of fees and land as is practiced today



# Amendment 2:

## Establishes an Appeals Process

### **Purpose:**

Authorizes applicants to appeal the director's decision on whether to require land dedication or allow a payment of a fee-in-lieu of land to the Land Use Commission



# Amendment 3:

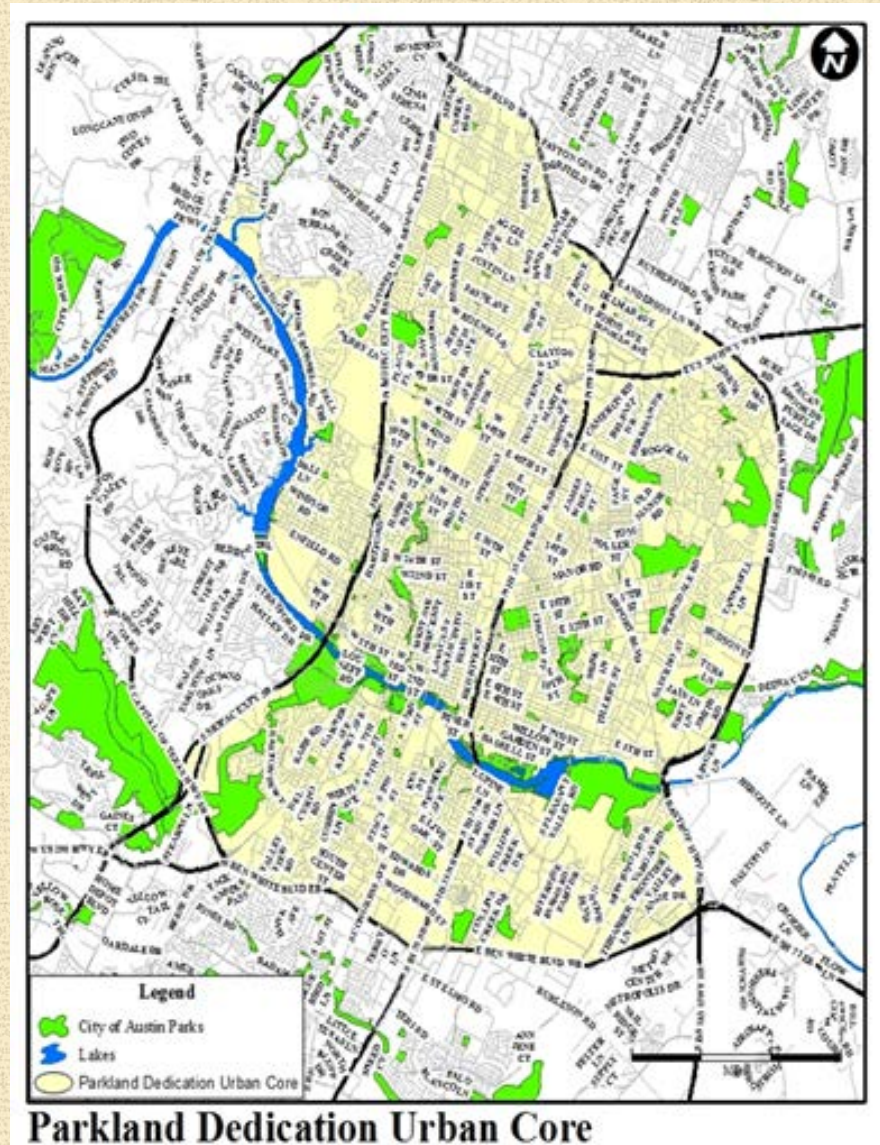
## Cap on Land in the Urban Core

### **Purpose:**

Establishes a cap on land dedication of 15% unless the Director has identified a critical parkland need



# Parkland Urban Core Map





# Amendment 4:

## Credit for Private Parkland

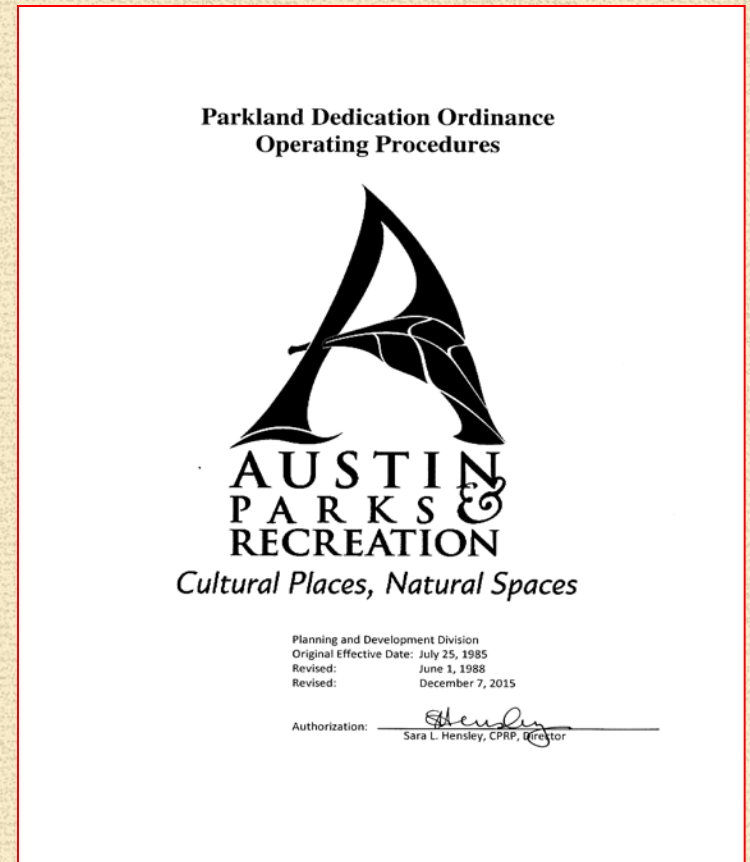
### **Purpose:**

- Allows up to 100% credit for privately owned and maintained parkland open to the public
- Allows up to 100% credit for active park amenities constructed on that parkland
- ***The current ordinance allows up to 50% credit for privately owned/open to the public parkland and no credit for amenities constructed.***



# Amendment 4: Credit for Private Parkland

- Operating Procedures (PDOP) will be adopted through rules posting
- Score sheet and criteria will define how the private percentage credits up to 100% are awarded





# Amendment 5: Refund Procedures

## **Purpose:**

Clarification of wording related to funds not spent as recommended by the 2013 Parkland Dedication Audit

- Intent is to make clear that an applicant may request a refund for units not built within 5 years
- ***Needed for clarification only - does not change current code***






# Amendment 5:

## 2013 Parkland Dedication Follow-up Audit



Verified all three recommendations were fully implemented

recommendation	status
spend funds and develop procedures	 implemented
calculate and review fees	 implemented
make information available to the public	 implemented during follow-up audit

The Parkland Dedication Audit was issued May 2013 and contained three recommendations. We verified that the Parks and Recreation Department (PARD) fully implemented all three recommendations with one of them being fully implemented during this follow-up audit.

PARD has made improvements related to management of Parkland Dedication (PLD) information and funds. For example, PARD populated an internal database with collection, expenditure, and historical PLD information; implemented a process to calculate and review PLD fee assessments; and created a website to make PLD information readily available to developers and the public. In addition, PARD plans to add a new interactive PLD map to the website the first half of 2016.



# Amendment 6:

## Adoption of Fee with Annual Fee Schedule

### **Purpose:**

Clarifies the City Council's authority to adopt the fee in-lieu and park development fee during the budget process

- ***Needed for clarification of Ordinance version that Council adopted at 1<sup>st</sup> reading***



# QUESTIONS?

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Parks and Recreation Department

